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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,506	05/11/2001	Mark L. Janeczek	END920000132US1	6858

7590 04/23/2003

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EXAMINER

ALCALA, JOSE H

ART UNIT PAPER NUMBER

2827

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/853,506

Applicant(s)

MARK L. JANECEK, JOHN S.
KRESGE, MARK V. P

Examiner

Jose H Alcalá

Art Unit

2827

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

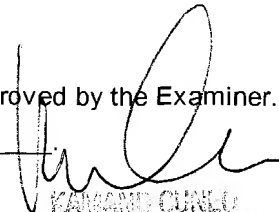
Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


KAVAND CUNLO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000

Continuation of 5. does NOT place the application in condition for allowance because: Applicant argues that the DiStefano et al. reference teaches five layers and doesn't teach having just three layers (a power core layer and two sandwich layers). Examiner respectfully disagrees and points out that the DiStefano reference teaches a power core layer (second substrate from the top of figure 2) and two sandwich layers (First and third substrates of Figure 2). Furthermore, the fact that the reference teaches more layers in addition to the ones claimed by the applicant, it must be noted that DiStefano discloses the invention as claimed. The fact that it discloses additional structure not claimed is irrelevant. Applicant further argues that the signal core layers are not described as so in the DiStefano reference. Examiner points out that the reference teaches the structural limitations as claimed, the term "signal core layer" is merely a label for the structure as claimed. Applicant further argues that DiStefano doesn't teach pads in the second layer, which surfaces that are undercut. Examiner respectfully disagrees and brings applicant attention to Figure 3 of the reference, where the pads located in (reference number 56a and 58a) are undercut in the second layer. In response to Applicant's argument that DiStefano does not include certain features of Applicant's invention (the partially filled vias), the limitations on which the Applicant relies are not stated in the claims. It is the claims that define the claimed invention, and it is the claims, not specifications that are anticipated or unpatentable. See *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ 2d 1064.